

U.S. Department of Labor



The Department of Labor

Working men and women are the source of our national strength and productivity. Since 1913 the Labor Department's mission has been to promote their welfare. The Department enforces a wide range of laws, described in this brochure, touching nearly every facet of American worklife and reflecting its complexity. It works to assure equity and decent, humane conditions for an ever larger, more diverse workforce with vastly different needs than in 1913.

Over the years there have been many changes in the Labor Department's programs and activities but its basic concern remains the quality of life for American workers.

The Department enforces laws that protect the job and pension rights and the safety and health of workers. It helps people find jobs. It sponsors training for those who need it. It guides the nation's unemployment insurance system. It keeps track of changes in employment and prices. It provides a variety of services and information to workers, employers, teachers, students, business people,

government officials and others.

The Labor Department was created by a 1913 act of Congress as a cabinet-level agency "to foster, promote and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment."

There had been predecessor agencies dating back to 1884, but this marked the first time that a cabinet department was created with the primary function of furthering the interests of working people. The act creating the Labor Department was signed by President William Howard Taft on his last day in office, March 4, 1913.

At that time the American worker lacked many of the basic protections taken for granted today. The average workweek was about 50 hours, and earnings averaged about 22 cents an hour. Hazardous working conditions were common. The legal right to bargain collectively was years away, as were the public employment service and job training programs.

Over the years many changes have developed on the American work scene. To meet the challenges of change, the Labor Department has matured with the times and its role has broadened with new responsibilities.

Today, most Americans enjoy steady, decent jobs. Workers are protected by safety and health



legislation. Laws guarantee most of them a minimum wage, unemployment insurance, workers' compensation, pensions they have earned, and the right to bargain collectively. It is illegal to discriminate in hiring or promotion on the basis of race, sex, religion, age, national origin, veteran's status, or disability.

But not all Americans have shared in the nation's economic and social progress. Some are still victims of discrimination, poverty, inadequate education, or changing technology. There are groups with special problems—older citizens, minority group members, unskilled youths, working parents with young children, those with disabilities, veterans, women and others. The Labor Department lends these Americans a helping hand by enforcing the laws that protect them and by funding programs leading to steady, productive employment.

The Secretary of Labor, nominated by the President and confirmed by the Senate, heads the Labor Department and is the President's chief advisor on labor matters.

Following are brief descriptions of the major units and activities of the Labor Department.

Employment Standards

The Employment Standards Administration (ESA), with its three program offices—the Wage and Hour Division, the Office of Federal Contract Compliance Programs and the Office of Workers' Compensation Programs—administers laws and regulations setting employment standards, requires federal contractors and subcontractors to be equal opportunity employers, and provides compensation to certain workers injured on the job.

The Wage and Hour Division was established in 1938 to administer the landmark Fair Labor Standards Act which includes minimum wage, overtime pay, recordkeeping and child labor provisions.

Since 1938 the division's responsibilities have grown to encompass more than 80 other laws and regulations protecting workers against unfair employment practices. These include the wage garnishment provisions of the Consumer Credit Protection Act; the Service Contract, Public Contracts and Davis-Bacon Acts, which require that prevailing wages be paid on government con-

tract work; the Migrant and Seasonal Agricultural Worker Protection Act, which sets standards for wages, transportation, and housing for migrant farm workers; and the Employee Polygraph Protection Act, which prohibits the use of polygraph (lie detector) tests for employment on most jobs.

The Office of Federal Contract Compliance Programs assures equal employment opportunity on federal contract and subcontract work.

Two laws and an executive order protect minorities, women, members of religious and ethnic groups, those with disabilities and veterans from job discrimination in work done under federal contracts. Government contractors also are required to take affirmative action to hire and promote members of protected groups. These programs are designed to remedy the effects of past and present discrimination through back pay, job reinstatement, promotions and other benefits.

The Office of Workers' Compensation Programs administers the Federal Employees' Compensation Act, the Longshore and Harbor Workers' Compensation Act and the Black Lung Benefits Reform Act.

The Federal Employees' Compensation Act provides benefits for federal employees and certain other groups who suffer job-related injury, disease or death. Benefits under the Longshore Act cover maritime workers injured or killed on the navigable

waters of the U.S., employees working on adjoining piers, docks and terminals, and other groups included through extension of the act. The Black Lung Act calls for monthly payments and medical treatment for coal miners totally disabled from pneumoconiosis (black lung) arising from their employment in the nation's coal mines, and monthly payments for their surviving dependents.



Employment and Training

A major challenge for the American labor market is closing the “skills gap”—the growing imbalance between the demands of today’s jobs and the skills of people available for work. The Employment and Training Administration (ETA) plays a vital role in meeting this challenge through a broad range of training, job placement and financial assistance programs.

State and local programs funded under the Job Training Partnership Act (JTPA) have provided services to more than 4.5 million economically disadvantaged youth and adults. These ETA-administered programs focus on equipping workers with the skills they need, with emphasis on the young people and adults who are most at risk of failure in the job market. Training efforts under the JTPA umbrella include the Job Corps—a nationwide network of residential youth employment and training centers—and programs for older workers, seasonal farmworkers, and Native Americans.

Because education is crucial to a quality workforce, ETA has given a high priority to improving

the transition of young people from school to the workplace. Work-based learning activities have included research on school-to-work alternatives and efforts to foster the growth of structured work-based training programs.

ETA's Office of Work-Based Learning is expanding apprenticeship concepts and programs to previously underrepresented groups and occupations. This office also oversees services available under the Economic Dislocation and Worker Adjustment Act and the Trade Adjustment Assistance Act to workers adversely affected by plant closings, mass layoffs, trade imports, or natural disasters.

ETA's research and demonstration projects help meet labor market shortages and upgrade the skills of people who face particular labor market barriers. Activities have included the Secretary's Commission on Achieving Necessary Skills, with its charge of defining the basic skills American workers need to close the gap between educational achievements and workplace requirements; and the Labor Investing for Tomorrow (LIFT) Awards, which recognize exemplary practices to improve workplace skills.

Two key components of ETA familiar to millions of American workers are the U.S. Employment Service (USES) and the Unemployment Insurance Service (UIS). Each year the USES-affiliated state employment security agencies, oper-

ating through approximately 2,000 local offices, help millions of people find jobs and millions of employers fill vacancies. In its more than half a century of existence, the federal-state unemployment insurance system has served as the first economic line of defense against unemployment by providing jobless workers with direct cash payments during their time out of work.

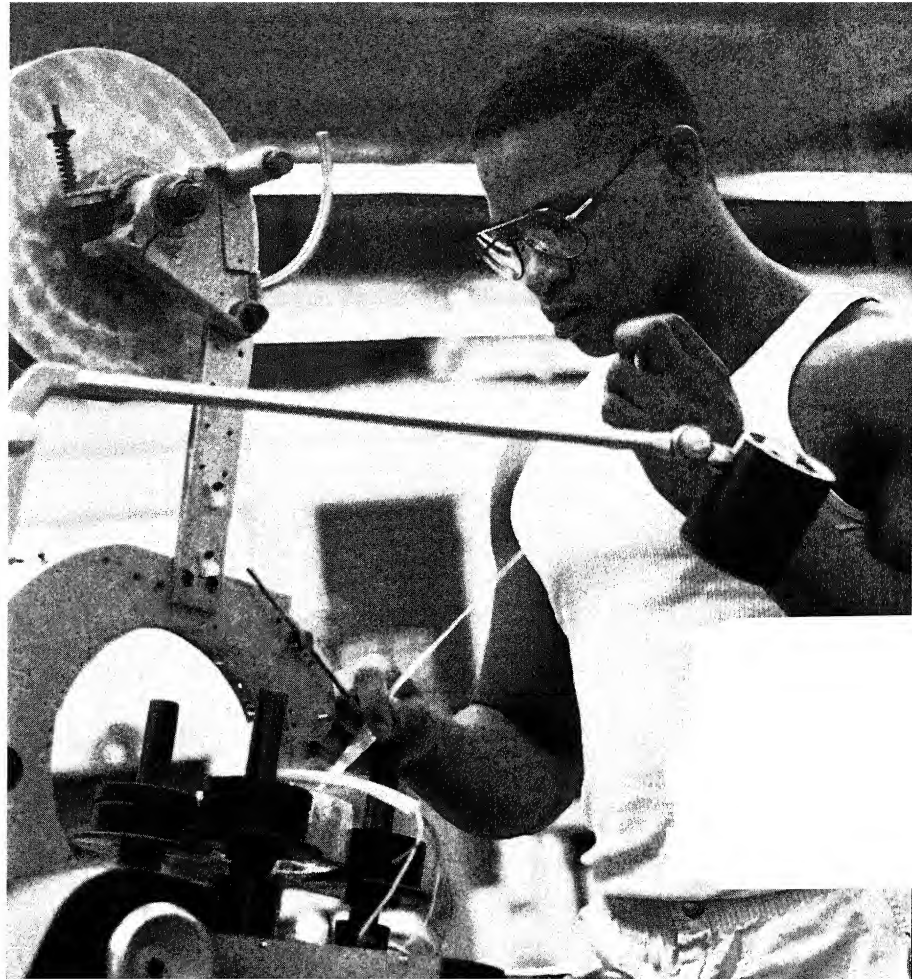


Occupational Safety and Health

The Occupational Safety and Health Administration (OSHA) was established in 1971 with a mandate from Congress "to assure so far as possible every working man and woman in the nation safe and healthful working conditions."

OSHA carries out this mandate by developing mandatory workplace safety and health standards, and conducting inspections to assure they are followed; assisting and encouraging states to establish and maintain their own safety and health programs; providing research, information, education and training; and by promoting cooperative efforts with both management and labor.

OSHA standards cover all workplaces in private industry with one or more employees except farms which employ only family members and workplaces covered by other federal agencies. OSHA's safety and health rules also cover workers in federal agencies (through executive order), and indirectly cover all state and municipal workers in states with their own OSHA-approved job safety and health plans.



About 88 million workers in 6 million workplaces thus are covered by OSHA rules in the 50 states, the District of Columbia, Puerto Rico, the Virgin Islands, and all other U.S. territories.

OSHA has two basic sets of safety and health rules—one for general industry and the other for construction, though there are supplementary rules for the maritime industries and agriculture. In the states under direct federal jurisdiction, the rules are enforced by OSHA compliance officers working out of area offices located in centers of industry.

In the 25 states that have their own OSHA-approved job safety and health plans (including Puerto Rico and the Virgin Islands, and New York and Connecticut, whose plans cover just state and municipal employees), the rules are enforced by state compliance officers. State plans that are approved by OSHA are 50 percent federally funded. To gain OSHA approval, state plans must have rules that are deemed “at least as effective” as federal regulations.

OSHA publishes and distributes news releases, pamphlets, Federal Register notices, video tapes, and other material to keep the public informed about its activities.

The OSHA Training Institute, located in Des Plaines just outside of Chicago, trains safety and health specialists from private industry and other federal agencies as well as OSHA’s own personnel

and state job safety and health staffs.

The agency’s safety and health rules are developed at OSHA’s headquarters in Washington, D.C., by professional staff members often recognized as leading experts in their fields.



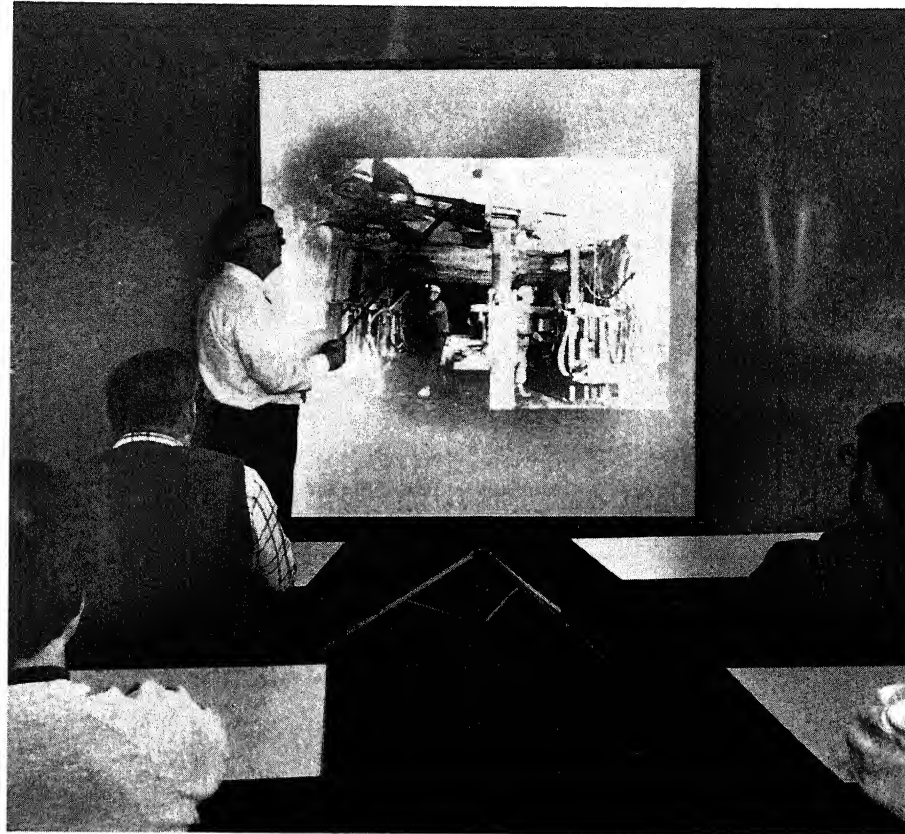
Mine Safety and Health

Making working conditions for miners as safe as possible is the responsibility of the Mine Safety and Health Administration (MSHA).

To prevent needless deaths, injuries and illnesses in the mines, MSHA issues and enforces standards under the Mine Safety and Health Act. These standards cover more than 20,000 mining and milling operations. MSHA's program also includes education and training and technical and engineering assistance.

MSHA works with all members of the mining community. The agency's mine inspectors work out of more than 170 offices throughout the nation. Technical and engineering assistance is available through technical support facilities and from a center that collects mining accident data and analyzes it to pinpoint causes of the most serious mine hazards and practices.

Besides conducting safety and health training courses for miners and management, MSHA trains and certifies instructors from outside the agency to teach health and safety courses.



Pension and Welfare Benefits

The pension, health and other fringe benefits of millions of American workers and their families depend on the financial stability of benefit plans set up by private employers. These plans are regulated by the Employee Retirement Income Security Act (ERISA).

ERISA governs the operation of some 900,000



pension plans with assets of nearly \$1.7 trillion and almost 4.5 million welfare plans which provide medical, disability, severance, training and other benefits to American workers. Administration of the law is divided among the Labor Department's Pension and Welfare Benefits Administration (PWBA), the Internal Revenue Service and the Pension Benefit Guaranty Corporation (PBGC).

The law requires pension and welfare plan managers to manage and invest plan funds prudently and to make sure there is enough money in the plan to pay promised benefits. Employers are not required to set up a pension plan, but if they do their employees must be able to participate and be entitled to benefits without having to meet unreasonable age or service requirements.

Every plan covered by ERISA must give each participant a written summary describing in simple language the plan's eligibility requirements and benefits. Each participant also must be given a report annually summarizing the plan's financial activities.

If the sponsor of a pension plan goes out of business, terminates the plan, or is unable to pay benefits, participants in certain plans may have some protection against loss of their pensions. The PBGC, a government corporation, provides limited insurance of benefits earned under these pension plans.



Veterans' Employment

The Office of the Assistant Secretary for Veterans' Employment and Training Services (VETS) oversees a variety of initiatives to make sure that no veteran who wants to work goes without a job or the training needed to get one. In cooperation with state employment services offices throughout the country, VETS helps former members of the armed forces find jobs and obtain testing, counseling and training.

Other assistance for veterans includes employment preference for government jobs, unemployment compensation for recently discharged service personnel, and tax credits for employers who hire veterans. Special efforts are made to reach and help disabled and Vietnam-era veterans.

VETS also administers the veterans' reemployment rights law. This federal law entitles a veteran to return to the job he or she left to enter the service and protects the job rights of members of the National Guard and Reserves.

Labor-Management Standards

Federal law protects the rights and interests of union members by establishing basic standards of democracy and fiscal responsibility for the internal operation of unions. The Labor-Management Reporting and Disclosure Act (LMRDA) is the federal law which establishes these standards, most of which are administered and enforced by the Office of Labor-Management Standards (OLMS).

The LMRDA covers unions that represent employees in private industry and the U.S. Postal Service. OLMS also is responsible for enforcing similar standards covering unions that represent federal employees.

Activities covered by the LMRDA include the handling and safeguarding of union funds and assets, the election and removal of union officers, and the placing of a local union under trusteeship by the national organization. Among other provisions, the LMRDA gives members the right to see certain union records, prohibits union locals from raising dues without following specified procedures, safeguards members against discipline by

the union without a fair hearing on specific charges and requires unions to make copies of the collective bargaining agreement available to employees.

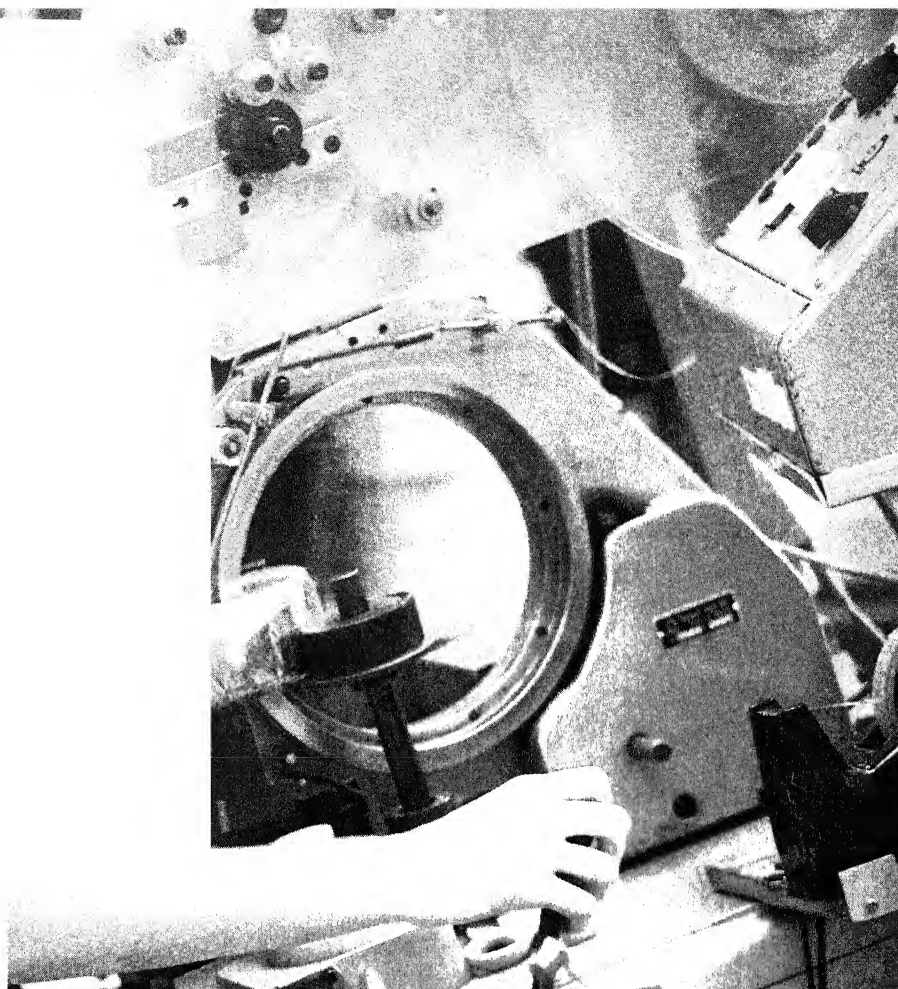
The law also requires unions, union officers and employees, employers, labor relations consultants and surety companies to file certain reports with OLMS. Every covered union must file an information report with a copy of its constitution and bylaws with OLMS, as well as annual financial reports. Employers and labor relations consultants must file reports if they engage in certain activities intended to influence employees in the exercise of their collective bargaining rights. These reports are available to the public.

In carrying out its responsibilities, OLMS encourages voluntary compliance by keeping unions, employers and others subject to the law informed of its requirements and offering them technical assistance in complying. The agency also audits unions to assure compliance with fiduciary and reporting regulations, and conducts criminal and civil investigations in response to allegations or evidence of wrongdoing.



Labor Statistics

Accurate and timely statistics about workers and the performance of the economy are vital to the nation. The Bureau of Labor Statistics, originally created by Congress in 1884 and made part of the newly established Labor Department in 1913, is the nation's chief economic factfinder in many areas. The agency collects, analyzes, and publishes data on the labor force, employment, the occupational outlook, unemployment, wages, hours of work, industrial relations, work stoppages, prices, consumer expenditures, productivity, economic growth and occupational safety and health.



Women's Bureau

Improving employment opportunities for women has been the driving force behind the Women's Bureau since its inception in 1920. In its role as an advocate for working women, the bureau participates in outreach activities, research and analysis, and demonstration and pilot programs.

The bureau strives to improve the economic status of all working women by seeking fair employment policies, with particular emphasis on groups of women who have faced employment barriers due to difficulties in obtaining training, jobs or advancement. Its projects have served groups such as rural women, single heads of households, low-income women, displaced homemakers, teenagers and older women. These and similar efforts include job training and placement, support services, technical assistance and information sharing through various networks.

The bureau's ten regional offices carry out agency programs as well as develop programs tailored to local needs.

To encourage and support policies that will

allow employees to balance work and family responsibilities, the bureau created CHOICES—the Clearinghouse on Implementation of Child Care and Eldercare Services. CHOICES is a data base offering information on employer-sponsored options that help workers manage dependent care responsibilities. The service is accessed through a toll free number—1-800-827-5335.





Labor-Management Relations

The Bureau of Labor-Management Relations and Cooperative Programs was created to promote cooperation between labor and management and to enhance the quality of working life, while improving the productivity and competitiveness of American industry. It serves as a national repository of information and technical assistance for employers, unions, educators and others interested in more effective industrial relations.

In addition to its labor relations activities, the bureau protects employees in the mass transit and airline industries against the possible adverse effects of federally assisted programs. Specifically, the bureau administers requirements under Section 13 (c) of the Urban Mass Transportation Act and the Airline Rehire Program.





International Labor Affairs

The Bureau of International Labor Affairs fulfills the department's international responsibilities. It helps formulate international economic and immigration policies affecting American workers and the head of the bureau serves as the permanent representative of the United States to the International Labor Organization Governing Body.

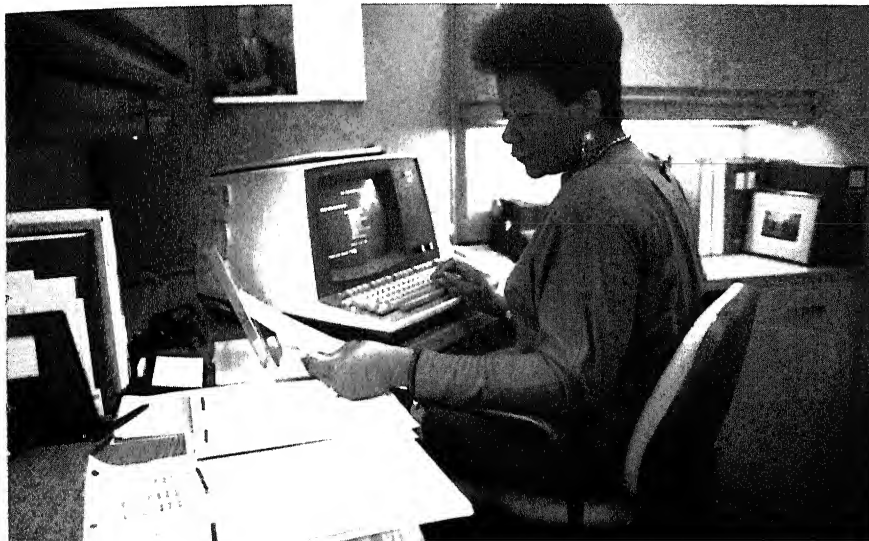
The bureau represents the Department on U.S. delegations to trade negotiations such as the General Agreement on Tariffs and Trade. It coordinates advice from the Labor Advisory Committee on Trade which gives American workers a voice in formulating the nation's trade policy.

The bureau also helps provide direction to the labor attaches at U.S. embassies, carries out technical assistance projects overseas, and arranges trade union exchange and other programs for foreign visitors to the U.S.

Other Department Agencies

Other units of the Labor Department include:

Policy Office— Advises the Secretary of Labor on economic policy and coordinates the Department's program evaluation and research activities.

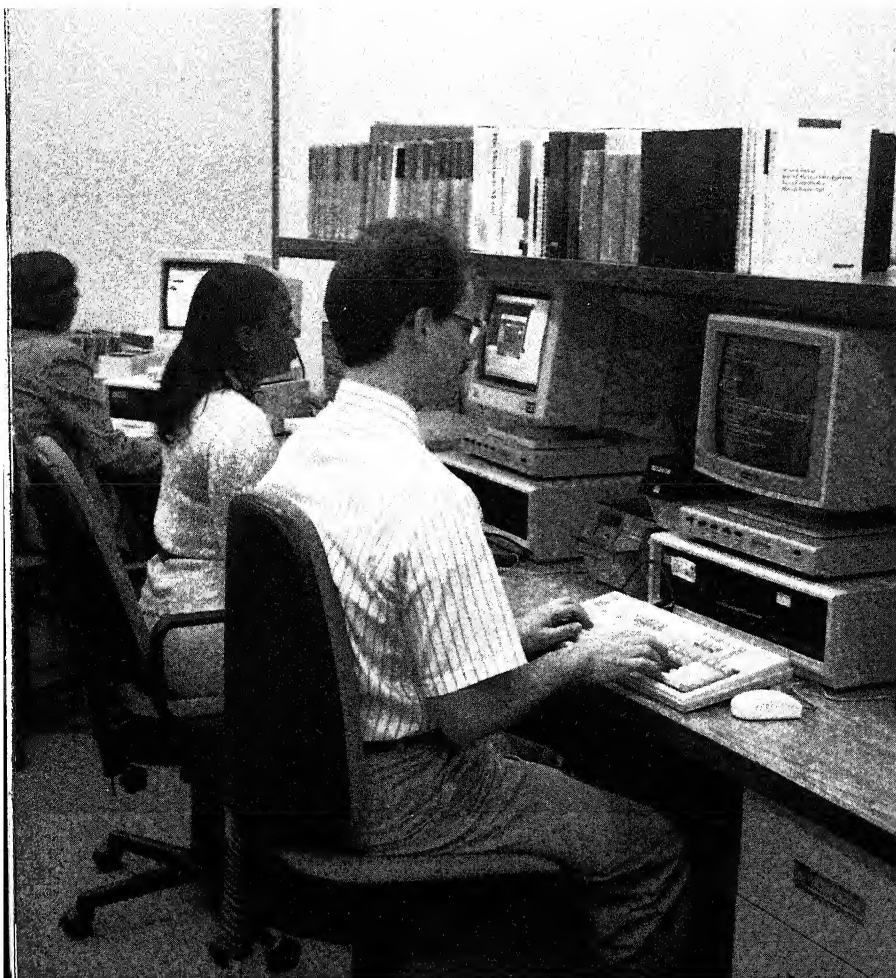


Congressional and Intergovernmental Affairs Office— Oversees the Department's legislative agenda and serves as liaison with state and local officials on programs and policies of an inter-governmental nature.

Inspector General's Office— Audits and investigates Department programs and activities to prevent waste, fraud and abuse and promote economy and efficiency.

Solicitor's Office— Provides legal services to the Secretary of Labor and program officials of the Department.

Office of Information and Public Affairs— Serves as the central contact point for media and public inquiries about the Department and keeps the public informed about Department programs, policies and activities through news releases, news conferences and a variety of other informational activities.



Publications

The Labor Department produces many publications on its activities. It publishes and distributes information on such subjects as collective bargaining, employment standards, wages, prices, employment, training, job safety, labor organizations, labor law and administration, and foreign labor. Its periodicals include the Monthly Labor Review and Occupational Outlook Quarterly.

Some of the Department's publications may be purchased from the Superintendent of Documents, Washington, D.C. 20402. Others are available free from the department.

For a list of Department publications, write to the Office of Information and Public Affairs, U.S. Department of Labor, Washington, D.C. 20210.

